



FACT SHEET: HISTORY & GEOGRAPHY

Department of Planning, Building & Code Enforcement, Planning Division

HISTORIC ORIGIN

FOUNDED:

November 29, 1777 (as Pueblo de San Jose,
California's first civilian settlement)

INCORPORATED:

March 27, 1850 (as City of San Jose)



Downtown San Jose, Circa 1950



Downtown San Jose, 2000

GEOGRAPHIC DATA

COORDINATES:

Longitude: -121.89

Latitude: 37.33

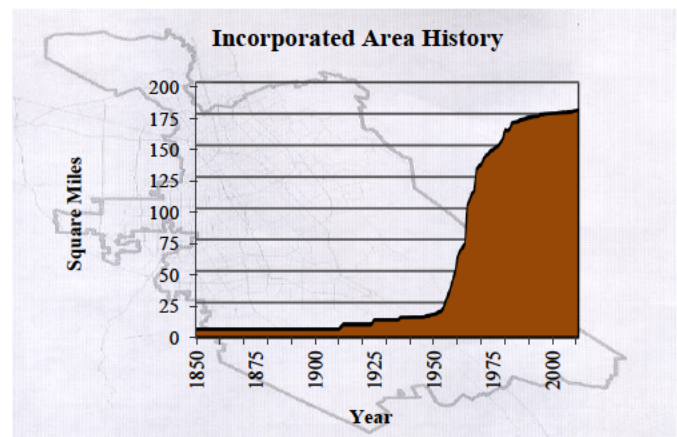
(at Cesar Chavez Plaza, Downtown)

ELEVATION

Minimum: Sea level (Alviso)

Maximum: 4,372'

(Copernicus Peak, near Lick Observatory at Mt. Hamilton)





FACT SHEET: DEMOGRAPHICS

Department of Planning, Building & Code Enforcement, Planning Division

POPULATION FACTS

San Jose is the:

- Largest City in the nine-County Bay Area
- 3rd Largest City in California
- 10th Largest City in the United States

POPULATION HISTORY

<i>Year</i>	<i>Number of Persons</i>
1777	66
1850	4,000
1900	21,500
1950	95,280
1960	204,196
1970	459,913
1980	629,442
1990	782,248
2000	894,943
2010	945,942
2016	1,042,094

Source: US Census Bureau; California Department of Finance

AGE COMPOSITION

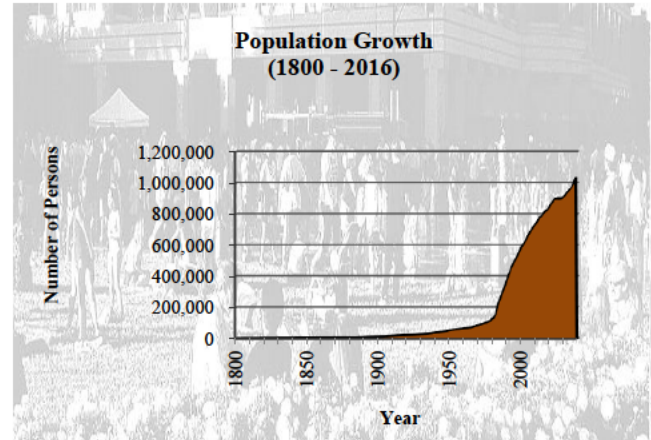
<i>Age Groups</i>	<i>% of Total</i>
Under 18 years	23.4%
18-24 years	9.4%
25-44 years	30.1%
45-64 years	25.4%
65 and over years	11.7%
Median Age	36.5 years

Source: US Census Bureau, American Community Survey; 2014

LANGUAGE SPOKEN AT HOME

<i>Language</i>	<i>% of Total</i>
English	43.2%
Spanish	23.5%
Asian/Pac. Is.	25.6%
Other	7.7%

Source: US Census Bureau, American Community Survey; 2014



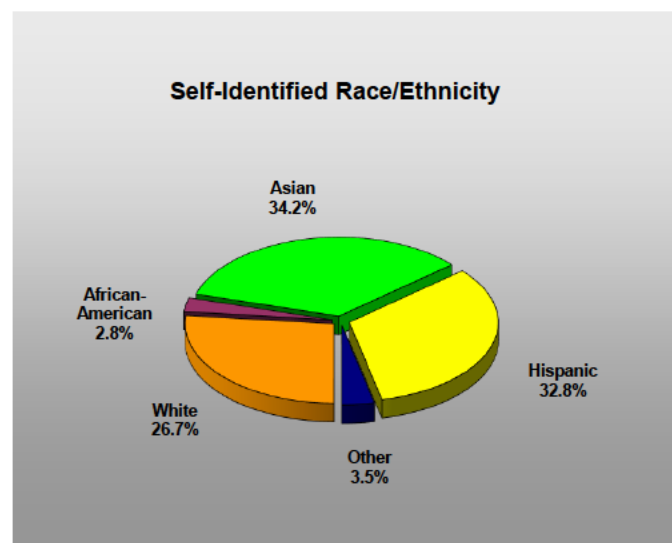
Source: City of San Jose

HOUSEHOLD SIZE

<i>Year</i>	<i>Number of Households</i>	<i>Persons Per Household</i>
1970	130,607	3.35
1980	218,177	2.96
1990	250,135	3.08
2000	276,598	3.20
2010	301,366	3.09
2014	312,227	3.21

Source: US Census Bureau; California Department of Finance

RACIAL COMPOSITION



Source: US Census Bureau, American Community Survey; 2014

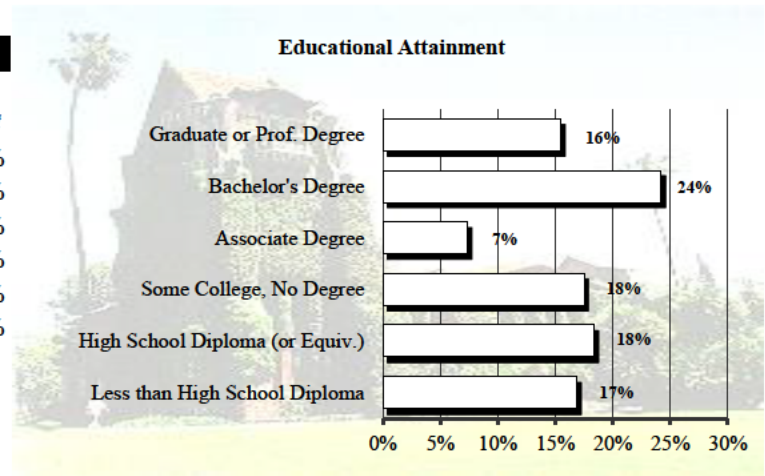


FACT SHEET: EDUCATION

Department of Planning, Building & Code Enforcement, Planning Division

EDUCATIONAL ATTAINMENT

	<i>Percent</i>
Graduate or Prof. Degree	16%
Bachelor's Degree	24%
Associate Degree	7%
Some College, No Degree	18%
High School Diploma (or Equiv.)	18%
Less than High School Diploma	17%



Source: US Census Bureau, American Community Survey, 2014

EDUCATIONAL FACILITIES

PRIMARY AND SECONDARY SCHOOL DISTRICTS

Alum Rock Union Elementary School District
 Berryessa Union Elementary School District
 Cambrian School District
 Campbell Union Elementary School District
 Campbell Union High School District
 Cupertino Union School District
 East Side Union High School District
 Evergreen School District

Franklin-McKinley School District
 Fremont Union High School District
 Luther Burbank School District
 Moreland School District
 Mount Pleasant School District
 Oak Grove Elementary School District
 Orchard School District
 Union Elementary School District

UNIFIED SCHOOL DISTRICTS

Morgan Hill Unified School District
 San Jose Unified School District
 Santa Clara Unified School District

UNIVERSITIES AND COLLEGES

Evergreen Valley College
 Lincoln Law School of San Jose
 San Jose City College
 San Jose State University
 Silicon Valley University
 St. Mary's College of California
 University of San Francisco

Source: City of San Jose; Santa Clara County Office of Education; 2012



FACT SHEET: INCOME

Department of Planning, Building & Code Enforcement, Planning Division

PERSONAL INCOME

Household Income

Median	\$87,210
Average	\$111,952

Nonfamily Income

Median	\$57,029
Average	\$81,429

Family Income

Median	\$96,706
Average	\$119,753

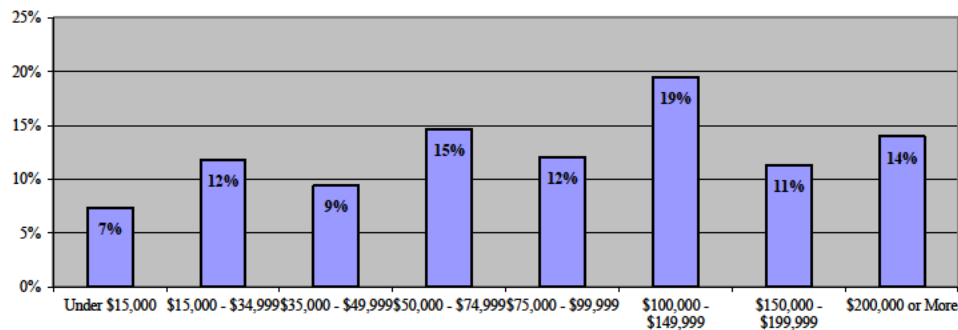
Per Capita Income

\$33,142

Source: US Census Bureau, American Community Survey, 2014

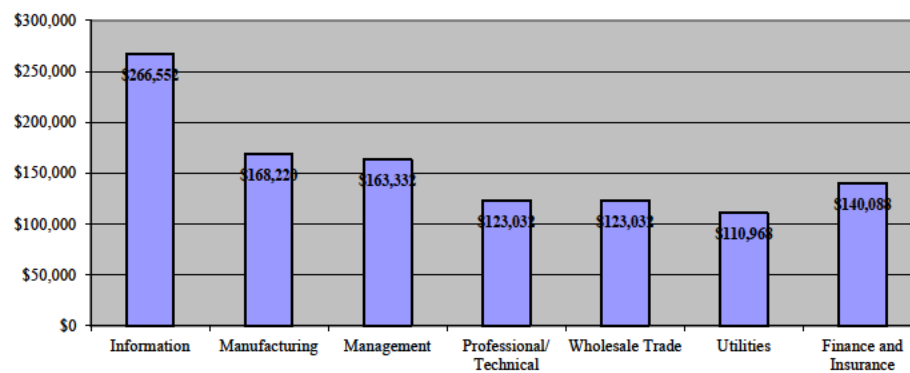
INCOME DISTRIBUTION AND WAGES

Income Distribution (Households)



Source: US Census Bureau, American Community Survey, 2014

Average Wages by Major Industry (Santa Clara County)





FACT SHEET: EMPLOYMENT AND EMPLOYERS

Department of Planning, Building & Code Enforcement, Planning Division

INDUSTRY EMPLOYMENT

<i>Industry Category</i>	<i>Employment in San Jose MSA* (thousands)</i>	<i>Percent</i>
Total, All Industries	1083.1	100.0%
Total Farm	5.4	0.5%
Total Nonfarm	1077.7	99.5%
Goods Producing	208.2	19.2%
Mining	0.2	0.0%
Construction	46.4	4.3%
Manufacturing	161.6	14.9%
Durable Goods	150.5	13.9%
Computer and Peripheral Equipment	48.9	4.5%
Semiconductor and Elec. Component	41.8	3.9%
Electronic Instrument	12.7	1.2%
Other	47.1	4.3%
Nondurable Goods	11.1	1.0%
Service Providing	869.5	80.3%
Trade, Transportation and Utilities	138.4	12.8%
Wholesale Trade	36.5	3.4%
Retail Trade	86.0	7.9%
Transp., Warehousing and Utilities	15.9	1.5%
Information	78.4	7.2%
Financial Activities	35.5	3.3%
Professional and Business Services	229.2	21.2%
Educational and Health Services	162.9	15.0%
Leisure and Hospitality	100.8	9.3%
Other	28.2	2.6%
Government	96.1	8.9%
Federal Government	9.9	0.9%
State and Local Government	86.2	8.0%

*San Jose Metropolitan Statistical Area (MSA) is equivalent to Santa Clara and San Benito Counties.

Note: numbers may not sum due to rounding.

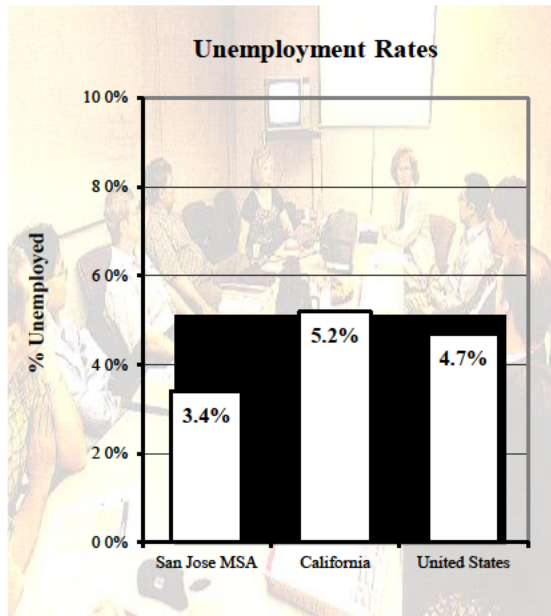
Source: California Employment Development Department, Labor Market Information Division; May 2016



FACT SHEET: EMPLOYMENT AND EMPLOYERS

Department of Planning, Building & Code Enforcement, Planning Division

UNEMPLOYMENT RATES



Source: California Employment Development Department, Labor Market Information Division; May 2016

MAJOR PRIVATE / PUBLIC EMPLOYERS

No.	Company/Organization	San Jose Employees
1	County of Santa Clara	17,800
2	Cisco Systems	14,000
3	City of San Jose	5,945
4	San Jose State University	4,300
5	Western Digital/HGST	3,000
6	eBay	2,800
7	Paypal, Inc.	2,800
8	IBM Corporation	2,800
9	Adobe Systems	2,100
10	Kaiser Permanente	2,100
11	Good Samaritan Hospital	2,000
12	Target Corporation	1,900
13	Brocade Communication	1,700
14	Cadence Design Systems Inc.	1,600
15	Maxim Integrated Products	1,600

Source: Office of Economic Development, City of San Jose; 2014

MAJOR HIGH TECH EMPLOYERS

No.	Company	Product	San Jose Employees
1	Cisco Systems	Computer Equipment	13,600
2	eBay	Online Auction	4,700
3	IBM	Computer Equipment	4,200
4	Hitachi	Storage	2,070
5	Adobe Systems	Software	2,000
6	Cadence Design Systems	Software	1,800
7	Sanmina-SCI	Electronics Manufacturing	1,770
8	Maxim Integrated	Semiconductors	1,650
9	Brocade Communications	Computer Equipment	1,470
10	Ericsson	Telecommunications	1,360
11	Xilinx	Semiconductor Equipment	1,300
12	Altera	Semiconductors	970
13	BD Bioscience	Biotechnology	920
14	SuperMicro	Computer Equipment	920
15	Micrel Semiconductor	Semiconductors	660

Source: Office of Economic Development, City of San Jose; 2013



FACT SHEET: HOUSING

Department of Planning, Building & Code Enforcement, Planning Division

HOUSING RENTALS

<i>Unit Type</i>	<i>Asking Rental Rate</i>
Studio	\$1,802
1 Bedroom	\$2,244
2 Bedroom	\$2,792
3 Bedroom	\$3,368
Average	\$2,473



Source: RealFacts; First Quarter 2016

Ohlone Court Apartments, South San Jose

HOUSING SALES

<i>Unit Type</i>	<i>Sales</i>	<i>Average Price</i>	<i>Median Price</i>	<i>Days on Market</i>
Single-Family Detached	299	\$889,423	\$811,000	36
Condominium/Townhouse	155	\$543,903	\$500,000	28

Source: Santa Clara County Assoc. of Realtors; January 2016

HOUSING TENURE AND VACANCY

<i>Tenure</i>	
Owner Occupied Units	56.1%
Renter Occupied Units	43.9%
Vacancy Rate	4.5%

Source: US Census Bureau, American Community Survey; 2014

HOUSING UNITS BY TYPE

<i>Total Units</i>	<i>Single-Family</i>			<i>Multi-Family</i>	<i>Mobile Homes</i>
	<i>Detached</i>	<i>Attached</i>			
San Jose	323,195	176,881	36,745	100,179	9,390
Santa Clara County	651,171	348,959	67,992	216,121	18,099

Source: California Department of Finance; 2014



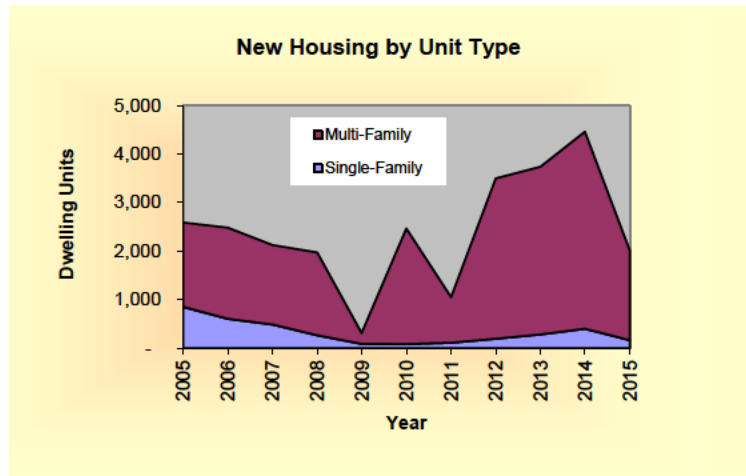
Los Esteros Apartments, North San Jose



FACT SHEET: HOUSING

Department of Planning, Building & Code Enforcement, Planning Division

RESIDENTIAL CONSTRUCTION



Source: City of San Jose; 2015

New Housing by Unit Type			
Year	Single-Family	Multi-Family	Total
2005	846	1,742	2,588
2006	604	1,875	2,479
2007	482	1,644	2,126
2008	260	1,709	1,969
2009	86	221	307
2010	82	2,382	2,464
2011	109	937	1,046
2012	193	3,304	3,497
2013	280	3,459	3,739
2014	394	4,066	4,460
2015	160	1,860	2,020
Average	318	2,109	2,427



Three Sixty Residences, Downtown



Tierra Encantada, Alum Rock



Palma Sorrento, Edenvale



FACT SHEET: QUALITY OF LIFE

Department of Planning, Building & Code Enforcement, Planning Division

CULTURAL / RECREATIONAL RESOURCES



Family Resources

Children's Discovery Museum
Christmas in the Park
Downtown Farmer's Market
Dr. Martin Luther King, Jr. Library
Happy Hollow Park and Zoo
History Park
HP Pavilion
Japanese Friendship Garden in Kelley Park
Lake Cunningham Park/Raging Waters
Lick Observatory
Logitech Ice at San Jose
Mexican Heritage Plaza
Outback Adventures
Peralta Adobe and Fallon House Historic Site
Prusch Farm Park
Rosicrucian Egyptian Museum
San Jose Municipal Rose Garden
San Jose Museum of Art
San Jose Museum of Quilts and Textiles
The Tech Museum of Innovation
Winchester Mystery House



Nightlife / Performing Arts Resources

Ballet San Jose Silicon Valley
Broadway San Jose
Children's Musical Theater San Jose
Opera San Jose
San Jose Jazz
San Jose Repertory Theatre
San Jose Stage Company
Symphony Silicon Valley



Professional Sports Resources

Amgen Tour of California (Professional Cycling)
San Jose Giants (Minor League Baseball)
San Jose SaberCats (Arena Football League)
San Jose Sharks (National Hockey League)
San Jose Stealth (National Lacrosse League)

Source: City of San Jose; 2011



FACT SHEET: QUALITY OF LIFE

Department of Planning, Building & Code Enforcement, Planning Division

TRANSPORTATION

Air (Norman Y. Mineta San Jose Int'l)

Annual Passengers	8.4 million
Major Passenger Airlines	11
Nonstop Service Destinations	32

Rapid Transit (BART)

Under Construction (Berryessa)	Scheduled 2018
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Commuter Rail (Caltrain)

	Systemwide
Weekday Ridership	42,354
Stations	33

Light Rail

	Countywide
Annual Ridership	10.0 million
Stops	62

Bus

	Countywide
Annual Ridership	32.0 million
Stops	4,300

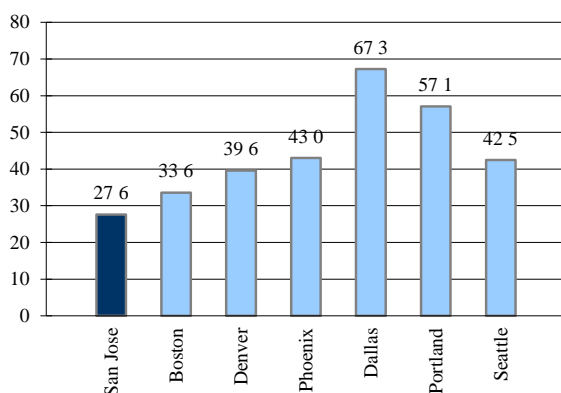
Mean Travel Time to Work	26.8 minutes
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Source: City of San Jose, 2014;

US Census Bureau, American Community Survey; 2014

PUBLIC SAFETY

Crime Rate
(Crimes per 1,000 population)



**San Jose is rated as one of the
"Safest Big Cities" in the nation.**

Source: Federal Bureau of Investigation; 2014



CLIMATE

Seasonal Temperatures

<u>Month</u>	<u>Avg. Temp</u>
January	50 °F
April	58 °F
July	70 °F
October	63 °F
Annual	60 °F

Seasonal Rainfall

<u>Month</u>	<u>Avg. Rainfall</u>
January	2.78 in.
April	1.17 in.
July	0.06 in.
October	0.90 in.
Annual	14.42 in.

EXHIBIT MM

Gene Hamilton
Martin Vidal, et al v. Elaine Duke, et al

10/20/2017

1

1 IN THE UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK
3 -----x
4 MARTIN JONATHAN BATALLA)
5 VIDAL, et al.,)
6 Plaintiffs,)
7) Case Nos.
8) 1:16-CV-04756(NGG)(JO)
9) 3:17-CV-05211
10 ELAINE C. DUKE, Acting)
11 Secretary Department of)
12 Homeland Security)
13 JEFFERSON BEAUREGARD)
14 SESSION III, Attorney)
15 General of the United)
16 States, and DONALD J TRUMP,)
17 President of the UNITED)
18 STATES,)
19 Defendants.)
20)
21 -----x

22 Deposition of GENE HAMILTON
23 Washington, DC
24 Friday, October 20, 2017
25 9:17 a.m.
26 Job No.: 37567
27 Pages: 1 - 233
28 Reported by: Donna Marie Lewis, RPR, CSR (HI)

Gene Hamilton

Martin Vidal, et al v. Elaine Duke, et al

10/20/2017

205

1 multiple edits made to the document.

2 Q Did you draft that memorandum?

3 MR. GARDNER: You can answer that yes or
4 no.

5 THE WITNESS: Principally, yes.

6 BY MS. TUMLIN:

7 Q On what date did you first draft that
8 memo?

9 A I don't know.

10 Q What month?

11 A August or September. I don't remember
12 it was late August, early September.

13 Q Okay. You previously testified that the
14 final decision to terminate DACA was not made
15 until Acting Secretary Duke signed the memorandum
16 which you principally drafted. Is that correct?

17 A That is correct.

18 Q Did you also draft an alternative
19 memorandum that kept the DACA program in place?

20 MR. GARDNER: Objection. Calls for
21 information subject to the deliberative process
22 privilege. I instruct the witness not to answer.

Gene Hamilton

Martin Vidal, et al v. Elaine Duke, et al

10/20/2017

207

1 **the DACA program had been made. Correct?**

2 A That -- that is generally correct,
3 although I will say again, no final decision is
4 ever made until there is ink on paper. That is
5 the fundamental difference. There may have been
6 tentative decision, but until a secretary of a
7 cabinet department makes a decision in writing or
8 in whatever method is appropriate for the
9 circumstance the decision is technically not
10 final.

11 Q Was there a substantively alternative
12 version of a DACA memorandum that was circulating
13 prior to September the 5th that could have been
14 signed by Acting Secretary Duke?

15 MR. GARDNER: Objection. Calls for
16 disclosure of information subject to deliberative
17 process privilege. I instruct the witness not to
18 answer.

19 BY MS. TUMLIN:

20 Q Okay. Does DHS have a policy on how to
21 deal with litigation risk?

22

Gene Hamilton

Martin Vidal, et al v. Elaine Duke, et al

10/20/2017

208

1 A Do we have a policy on how to deal with
2 litigation risk?

3 Q Uh huh.

4 A Nothing in writing.

5 Q Okay. So there is -- is there any
6 policy on how to deal with threats to sue by state
7 or local officials?

8 A No. And that sounds like the craziest
9 policy you could ever have in a department. You
10 could never do anything if you were always worried
11 about being sued.

12 Q Are you familiar with the executive
13 order issued by President Trump with respect to
14 sanctuary jurisdictions?

15 A That -- I believe that is in Executive
16 Order 13768. I am familiar.

17 Q And are you aware that several
18 municipalities have sued the federal government on
19 the basis of that executive order?

20 A In general I am, yes.

21 Q Are you aware that some of these
22 lawsuits have successfully blocked parts of the

REPORTER'S CERTIFICATE

I, DONNA M. LEWIS, RPR, Certified
Shorthand Reporter, certify;

That the foregoing proceedings were
taken before me at the time and place therein set
forth, at which time the witness, Gene Hamilton,
was put under oath by me;

That the testimony of the witness, the
questions propounded and all objections and
statements made at the time of the examination
were recorded stenographically by me and were
thereafter transcribed;

I declare that I am not of counsel to
any of the parties, nor in any way interested in
the outcome of this action.

As witness, my hand and notary seal this
22nd day of October, 2017.



Donna M. Lewis, RPR
Notary Public

My Commission expires:
March 14, 2018

